

REMARKS/ARGUMENTS

The Examiner rejected claims 1, 7-9, and 12 under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 6,999,916 to Lin et al. ("Lin") in view of U.S. Patent No. 5,023,786 to Kugimiya et al. ("Kugimiya"). The Examiner further rejected claims 5, 6, 15, 16, and 20-25 under 35 U.S.C. § 103(a) as being obvious over Lin in view of Kugimiya and in further view of U.S. Patent No. 5,023,786 to Abir ("Abir"). The Applicant respectfully disagrees with the Examiner's rejections for the reasons that follow.

The present application concerns the translation of text to be composed by a user of a wireless communications device. In this regard, claim 1 recites, in a wireless communications device enabled for communication in a wireless communications network, a method of translating a portion of a text-based communication to be transmitted from the wireless device, comprising: determining which text of the text-based communication is to be translated by continually monitoring the text-based communication for the presence of a trigger symbol, the trigger symbol indicating which text to translate; sending a translation request, the translation request configured for reception by a translation service means and comprising the text to be translated; receiving and associatively storing with the indicated text a translation thereof, from a first language to a second language; stopping the continual monitoring of the text-based communication upon detecting an indication that the text-based communication is to be sent; providing one or more prompts, such that there is one prompt corresponding to each previously translated text and further where each prompt comprises the corresponding translation; and sending the text-based communication after a response has been received for each prompt.

In contrast, Lin concerns the translation of text retrieved from WEB sites. For example, the Field of Invention portion of Lin states:

This invention relates to an apparatus and integrated method for acquisition of information relating to specific user-selected text of World Wide Web site pages, and more particularly to an apparatus and site-integrated method for providing high quality multi-lingual translations, explanations, and consolidated automatic multi-dictionary definitions of such text, in text, voice, image or multi-media format. (emphasis added)

Therefore, at the very outset, the teachings of Lin diverge substantially from the subject matter recited in the pending claims.

The Examiner first points to Col. 5, line 55 to Col. 6, line 15 of Lin, with regards to the claimed method of translating a portion of a text-based communication to be transmitted from a wireless communications device in a wireless communications network. This cited portion of Lin states:

Further embodiments provide an apparatus and integrated method, over a wireless network comprising a server side (e.g., WAP-based) and a client side (e.g., cellular phones, or other PDA wireless devices, such as Palm PC, Pocket PC, PSION, etc.), for user-directed acquisition of real-time translation and reference services (including voice-to-text, voice-to-voice, text-to-voice and text-to-text translations and reference services) in both text and voice, using standard cellular phones and PDA devices. Preferably, this embodiment is implemented as part of a wireless subscription service for end users by wireless service providers. Preferably, communication proceeds between a "master" user, having a subscribing wireless device (e.g., phone), and a "slave" user, having either a plug-in headset connected to the master device, or having another wireless device accessible by the master device. Preferably the system is implemented using a plurality of "slave" devices, in connection with one or more master "devices" receiving messages in one or more translated languages. Preferably, master users may retrieve information related to selected voice or text, where such related information comprises high quality multi-lingual translations, explanations, illustrations and/or consolidated automatic multi-dictionary definitions ("look-ups"), and wherein such information is displayed to the user in text, voice, image or multi-media formats that are compatible with the user's wireless device, and with the user's native language or character set. (emphasis added)

The Applicant sees nothing in the cited portion of Lin that suggests that the selected text is not specific user-selected text of World Wide Web site pages, as defined and explained earlier by Lin. Therefore, it cannot be fairly suggested that the cited portion of Lin teaches or suggests a method of translating a portion of a text-based communication to be transmitted from a wireless communications device, as presently claimed. To the contrary, Lin suggests the opposite approach, where text or voice is selected on a WEB site and is translated using a site integrated method, for delivering the translated text to the wireless device.

The Examiner next points to Col. 8, lines 5-15 and FIG. 9 of Lin in respect of the claimed step of sending a translation request, the translation request configured for reception by a translation service means and comprising the text to be translated. The cited portion of Lin states:

FIG. 9 shows a simpler WAP-based wireless embodiment involving a single "master" user and a single "slave" user. The master user selects single translation language pair, and sends a voice message 90 using the cellular phone 92, and the message is processed using voice-recognition software stored in the memory of a WAP server and operative with a processor of the server to recognize the voice and process it into text. The information retrieval function translates the text, which is then converted to voice by the voice recognition function, and delivered as a translated voice message 94 over the wireless network to the "slave" user. (emphasis added)

The cited portion of Lin states that a voice message is sent to the WAP server, where voice recognition software converts the voice to text. This is in direct contrast to the claimed subject matter, which recites sending a translation request, the translation request configured for reception by a translation service means and comprising the text to be translated. In the claimed subject matter, the text to be translated is sent by the wireless device, as claimed. Further, it is noted that the translation of the voice message in Lin is returned to a slave device, whereas the original message is sent by a master

device. In contrast, the pending claims recite that the text to be translated is sent by and the translation received by the same wireless communications device. Therefore, again, the teachings of Lin substantially diverge from the claimed subject matter.

The Examiner next points to Col. 7, lines 26-39 and FIG. 7A of Lin with regards to the claimed receiving and associatively storing with the indicated text a translation thereof, from a first language to a second language. The cited portion of Lin states:

FIG. 7A shows an embodiment of the present invention enabling combined translation and Internet search functions in accordance with particular user-selected Web site text and/or information source and/or language pair preferences. Here, a Chinese-speaking user activates (according to the present invention) the information retrieval function 70, in accordance with one or more particular translation language preferences, to simultaneously translate a user-selected text ("key word") into one or more languages/character sets 72 (e.g., using TurboDictionary.TM., according to the present invention). The translations are accessed by an Internet search engine (e.g., I-Search.RTM.) to enable a user to simultaneously search the internet in multiple languages 74, based on the users native language and selected key word.

The Applicant is unable to find anything in the cited portion of Lin that teaches or suggests receiving and associatively storing with the indicated text a translation thereof, from a first language to a second language, in a wireless communications device, as claimed. Further, the cited portion of Lin again refers to the situation where text is selected on a web site for translation, which is entirely contrary to the claimed subject matter.

The Examiner next points to Col. 5, lines 51-64 and FIG. 11 of Kugimiya with regards to the claimed determining which text of the text-based communication is to be translated by continually monitoring the text-based communication for the presence of a trigger symbol, the trigger symbol indicating which text to translate. The cited portion of Kugimiya states:

As will be seen from the foregoing description, the translating apparatus of the present invention includes the syntactic decision means which decides from the construction of the inputted sentence whether or not a relative clause of nonrestrictive use or a prepositional or indefinite phrase for modifying a verb accompanied by a comma located immediately before the phrase exists and the symbol generating means which generates in the translated sentence, the first and second symbols indicative of the start position and the end position of the relative clause or the prepositional or indefinite phrase when the relative clause or the prepositional or indefinite phrase exists.

The portion of Kugimiya, reproduced above, discusses first and second symbols that indicate a start position and an end position of relative clauses or prepositional or indefinite phrases. The symbols indicate whether or not a relative clause of non-restrictive use or a prepositional or indefinite phrase exist. The symbols discussed by Kugimiya are not trigger symbols indicating which text to translate, as claimed.

The Examiner also relies on the above reproduced portion of Kugimiya (Col. 5, lines 51-64 and FIG. 11) with respect of the claimed stopping the continual monitoring of the text-based communication upon detecting an indication that the text-based communication is to be sent. The Applicant can find nothing in this section that teaches or suggests this claimed feature.

Next, the Examiner points to Col. 4, lines 11-40, of Kugimiya, with respect to the claimed providing one or more prompts, such that there is one prompt corresponding to each previously translated text and further where each prompt comprises the corresponding translation. The cited section of Kugimiya is rather long to reproduce, but the Applicant is unable to find any portion of that section that teaches or suggests prompts of any kind. The cited portion of Kugimiya certainly does not teach or suggest providing one or more prompts, such that there is one prompt corresponding to each previously translated text and further where each prompt comprises the corresponding translation, as claimed.

It is submitted that claim 1 is not obvious in view of Lin and/or Kugimiya, whether taken alone or in combination, because Lin and/or Kugimiya fail to teach or suggest all of the features recited in claim 1. Further, Lin appears to explicitly teach away from many of the features presently claimed. Independent claims 9 and 12 recite features similar to claim 1 and are patentable for the same reasons. The dependent claims depend either directly or indirectly from the independent claims, recite further patentable subject matter, and are patentable for the same reasons.

Favourable reconsideration and allowance of the application are respectfully requested. Should the Examiner have any questions in connection with the Applicant's submissions, please contact the undersigned.

Respectfully submitted,

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